

Minutes of the Veneta City Council November 14, 2005

Present: Council President Fred Miller, Thomas Cotter, and Marion Esty

Absent: Mayor Brooker and Darrell Carman

Others: Ric Ingham, City Administrator; Margaret Boutell, Community Services Director; Lindsey Coffee; Jerri Moore, Finance Officer; Diana Huntington; David Calderwood; Lorraine Still; Ann Jensen; Sylvia Calderwood; Bob Still; Mona Linstromberg; Devon Trottier; Bruce Behrends; Sue Barnes; Scott Bartlett; Mike Wellington; Perry Burdon; and Jeneca Jones

Council President Fred Miller called the Veneta City Council to order at 7:03 p.m. and opened the meeting for public comments for items not on the agenda.

1. PUBLIC COMMENT:

Devon Trottier; 24733 Dogwood Lane; Veneta, OR

Ms. Trottier said the City has an ordinance for tree cutting but she was told the City can't do anything about the endangered species laws unless a development plan is filed. She wanted to know why the City isn't doing anything about the work being done on Bolton Hill Road.

In response, City Administrator Ric Ingham said there are no wetlands on the property and City staff has been making sure the tree ordinance is being complied with.

Ms. Trottier said she knows that some endangered species have been destroyed.

Council President Fred Miller asked Ric to do some follow-up work.

Perry Burdon; 24733 Dogwood Lane; Veneta, OR

Mr. Burdon said the developer damaged a tree on his property and then continued to work for another 3 or 4 days. Mr. Burdon said the three minute time limit for public comment is a violation of free speech. He said he asked several months ago what the City's position on the Patriot Act is and he still wants to know.

In response, Chairman Miller said the Council has not taken a position and remains neutral on the issue.

Mr. Burdon said he believes the Patriot Act is unconstitutional. He asked the Council what they are doing about global warming and what they plan to do when the oil runs out. He said it is something for them to think about.

After giving the audience an opportunity to provide three minutes of comment on items not on the agenda, Chairman Miller closed the public comment period.

2. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented. Marion Esty seconded the motion.

Vote: Marion Esty, aye; Thomas Cotter, aye; and Chairman Miller, aye.

The consent agenda as approved included minutes for October 24, 2005 and bills paid and payable for October/November 2005.

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

- (1) Introduction of New Finance Director Jerri Moore.
Ric introduced Jerri Moore who has ten years of public finance experience which will help get the City through the audit and back on track.

Jerri thanked the Council and staff for the opportunity and said she is here to serve the community.

- (2) Chairman Fred Miller opened the Public Comment Session on Lane County Animal Regulation Authority's request for the City to adopt a Rabies Reporting Ordinance at 7:14 p.m.

Ric provided some background on the history of the Task Force. He said the Council will first listen to the proponents, then the opponents.

Mike Wellington; Lane County Animal Regulation Authority

Mr. Wellington said there is no more information required for reporting rabies vaccinations that there already is for obtaining a dog license. He said dog license information is a public record, rabies vaccination information is not. He gave an overview of why the information would be helpful for medical treatment, especially when decisions need to be made when an animal is attacked. He said he would like to hear from the opponents and then answer questions.

Dianna Huntington; 87426 Halderson Road; Eugene, OR

Ms. Huntington said she is a volunteer for the stray cat alliance and a facilitator for the animal over population coalition. She said she is speaking only for herself. She said the number of stray cats and dogs is overwhelming and most are breeding because they have not been spayed or neutered.

Mona Linstromberg; 87140 Territorial Road; Veneta, OR

Ms. Linstromberg said she agrees with everything Ms. Huntington said. She said she owns a cat and a dog, both are licensed in Lane County. She said the licensing gives her a sense of security that if her animals are lost they can be traced back to her. She said it takes revenue to make sure that continues to happen.

Scott Bartlett; 1445 E. 21st Avenue; Eugene, OR

Mr. Bartlett said he was a member of the task force appointed by the Lane County Board of Commissioners. He said they spent hundreds of hours on research. He said they found that 75% of Veneta's dogs are unlicensed. He said part of the problem is that breeders feel the limit on the number of dogs is invasive. He said some cities do not have limits. He said that the number of kennels the County has is limited and dogs and cats have to be euthanized to make room for more strays. He told the Council that by passing the ordinance they will be saving dogs and cats.

David Calderwood; 28104 Spencer Creek Road; Eugene, OR 97405

Mr. Calderwood said he and other opponents are not irresponsible people, he said they license their dogs. He said the majority of the animals being euthanized are cats, not dogs and most of them are considered unadoptable. He said Lane County has a very successful spay and neuter record. He said Lane County is providing misleading information.

Lorraine Still; P. O. Box 1212; Creswell, OR

Ms. Still said she has taught school and coached at Fern Ridge Middle School. She said she has also had her animals treated at the Veneta Veterinary Clinic. She said LCARA's main goal for the rabies data base is to raise the cost of dog licenses. She said she believes that dogs should be licensed and vaccinated but she does not agree with the way LCARA is doing it. She said their proposal has been rejected by Lowell, Oakridge, and Creswell. She provided the Council with written comments and letters from local veterinarians. She said the proposal puts the veterinarians in the middle and confidentiality is broken. She said people will use veterinarians in communities that do not require reporting. She said LCARA should implement a flex-time schedule or on-line licensing to make it easier for people to license their dogs.

Ann Jensen; 1642 Danebo; Eugene, OR 97402

Ms. Jensen said she is a licensed microbiologist and actively worked on rabies control in California. She said rabies is not an issue in Oregon where the only carrier of rabies are bats. She said cats are more likely than dogs to contract rabies. She said people are afraid to have their dogs vaccinated in cities that require mandatory reporting because they will be required to get rid of any animals that exceed the limit.

Sylvia Calderwood; 28104 Spencer Creek Road; Eugene, OR 97405

Ms. Calderwood said veterinarians in Creswell and Cottage Grove have been asked to help sell licenses and licensing has increased as a result. She said she agrees that every dog should be licensed; however, she does not agree with mandatory rabies reporting.

Bob Still; 83076 N. Brandford; Creswell; OR

Mr. Still said he has lived in Lane County since the early 20's. He said he was a member of the Eugene Kennel Club and has worked with 4-H Clubs. He asked the Council to not pass a mandatory rabies reporting

ordinance because he said data bases often get misused. He said Anna Morrisson cannot accurately evaluate the program without 3 or 4 years of history.

Bruce Behrends; 2636 Riverwalk Loop; Eugene, OR

Mr. Behrends said he is one of the local Veterinarians. He provided the Council with two handouts. He said he has heard a lot of emotional pleas but he is here to ask the Council to look at some facts. He said rabies is not a problem in Oregon. Since 1975 the only reported rabies cases, other than bats, have been one fox and one dog. He said dogs that bite can be quarantined for ten days and the chances of them being rabid are very minimal.

Devon Trottier; 24733 Dogwood Lane; Veneta, OR

Ms. Trottier said she is a Veterinarian and she is being required to provide information to Lane County without being paid. She said she recommends to all of her clients that they license their dogs in addition to having them vaccinated for rabies. She said it should not be up to the veterinarians to give that information to the county. She said she already reports dog bites to the County. She said she would like the City to spend more of their energy on dogs at large and barking dogs.

Perry Burdon; 24733 Dogwood Lane; Veneta, OR

Mr. Burdon said he agrees with the opponents and thinks the mandatory reporting is a money generating scheme. He said the City doesn't take any enforcement action for barking dogs. He said no one is around on the weekends. He said mandatory reporting is an invasion of ones privacy.

At the conclusion of the public testimony, Fred Miller asked for questions from the Council.

Thomas Cotter said he would like additional time to read the Task Force Report before he makes a decision. He said it does appear that the County does need some additional funding but he doesn't want to make a decision until the full Council is present.

Marion Esty said she feels pet owners are generally responsible and she feels the proposal is just a way for the County to increase revenue. She said she appreciates the comments from the opponents and she will vote no.

Fred Miller said he agrees with Thomas Cotter and would like to wait on making a decision until the full Council is present. He said he would like the Veneta Veterinary Clinic to help sell licenses; however, he doesn't want them having to act as police. Fred thanked everyone for their comments and said the Council will not take any action until their meeting in December.

- (3) Appointment of new Economic Development Committee Members

Fred said the City received eight applications and as acting Mayor he said he would like to appoint all eight to be members of the new Economic Development Committee. Thomas Cotter will serve as the Council liaison.

MOTION: Thomas Cotter made a motion to approve the appointments. Marion Esty seconded the motion which passed with a vote of 3-0.

b. COUNCIL/COMMITTEE LIAISONS

Marion Esty (League of Oregon Cities Conference) - Marion said a lot of discussion was centered around rural development, Urban Renewal, and Measure 37. Marion announced a free meeting is being held tomorrow to help seniors understand the new medicare programs.

4. STAFF REPORTS

a. COMMUNITY SERVICES DIRECTOR

- (1) Public Works Monthly Activity Report for October 2005.
Kyle reviewed his monthly activity report. Fred Miller asked him to present some information regarding water sales versus the amount of production for next month. Kyle said the hazardous waste clean-up went very well.
- (2) Acceptance of Public Utility Easements for Austin Acres Subdivision
Margaret presented four easements for the sewer line that will serve the new Austin Acres Subdivision.

MOTION: Thomas Cotter made a motion to accept the public utility easements for the Austin Acres Subdivision. Marion Esty seconded the motion which passed with a vote of 3-0.

- (3) Acceptance of 5' Street Deed for E. Bolton Road
Margaret presented a 5' street deed which the City has requested for a property on E. Bolton Road to bring it up to the standard 60' right-of-way.

MOTION: Thomas Cotter made a motion to accept the 5' dedication. Marion Esty seconded the motion which passed with a vote of 3-0.

- (4) Quarterly Planning Report (3rd Quarter 2005)
Margaret reviewed the report with the Council which lists action taken by both staff and the Planning Commission for July through September as well as pending applications. Ric said both Margaret and Sheryl have been helping with the transition. There will be some very complex applications for the Planning Commission and City Council to work on

over the next few months.

(5) Planning Commission Work Plan.

Margaret said the Planning Commission will be having two meetings a month from November through March 7, 2006 because of the number of items on the work plan that need to be addressed. Traditionally applications slow down during the winter months; therefore, staff felt it would be a good time for them to address some of the items they have identified as well as items the City Council, staff, and LCOG have been working on. In addition, the Planning Commission will be reviewing an application to amend the Specific Area Development Plan for the SW Neighborhood. The first item will be to make some of the easy ordinance amendments and adopt a park dedication ordinance. Other items include amendments to the Transportation System Plan.

(6) Tree Felling Violation (Vloedman)

Margaret advised the Council that Mr. Vloedman has cut down a number of trees on his property located north of the Fern Ridge Center without getting a tree felling permit. The cutting took place over the weekend and the City began enforcement action on Monday morning when they became aware of the situation.

In response to questions, Ric advised the Council that the City can only take enforcement action on activities that are in violation of its ordinances.

Sue Barnes; 25322 E. Hunter Road; Veneta, OR

In response to a question from Ms. Barnes about how someone could get a business sign on Highway 126, Ric said the City has a sign ordinance that governs what types of signs are permitted in the City. He said Hwy 126 is a state highway and would also be under the jurisdiction of the state.

b. CITY ADMINISTRATOR

(1) 2005-06 Rural Tourism Marketing Program

Ric presented a proposed work plan for November 2005-October 2006 which lists the activities that the Fern Ridge Chamber and the City will be completing to assist with tourism related activities. The funding is provided by the Rural Tourism Marketing Program and the criteria for how the money is used is very strict. Ric said the current budget includes \$457 which was carried over from last year's work plan. Tourism attractions for the area include the lake, local wineries, and prime bird watching areas.

Thomas Cotter said he feels the City should have an official staff person attend the Chamber meetings to make sure there is accountability for how the funds are spent.

Ric said he will talk to some other City Administrators to see how they oversee their chambers.

MOTION: Thomas Cotter made a motion for the City to have a voice on the Chamber Board to make sure there is accountability for how the tourism dollars are spend. Marion Esty seconded the motion which passed with a vote of 3-0.

- (2) Telecommunication Legal Expense Fund, League of Oregon Cities (LOC)
Ric advised the Council that LOC has been representing the cities on Qwests challenge to not pay franchise fees for using public rights-of-way. The Court has made a favorable decision; however, the case has been remanded for a review of each individual franchise fee agreement. That review will require some additional litigation by LOC. LOC has asked each City to voluntarily contribute towards the cost.

MOTION: Thomas Cotter made a motion to contribute \$350.00 to the League of Oregon Cities for the Qwest litigation. Marion Esty seconded the motion which passed with a vote of 3-0.

- (3) Veneta Business Park Work Plan
Ric said the Cornerstone project is moving forward and the Council will soon be seeing some resolutions and ordinances to implement the project. He said they hope to break ground the first part of March.
- (4) Downtown Master Plan Update
Ric reviewed a memorandum from Dan Watts which explains the status of the project. DLCD has notified the City that only an Economic Opportunity Analysis (EOA) can be funded through a Technical Assistance Grant. The City will need to find other ways to accomplish the goal of creating the downtown master plan. If the Council is still in favor of completing a downtown master plan this fiscal year, Dan provided the Council with a list of recommendations which included his researching funding methods.

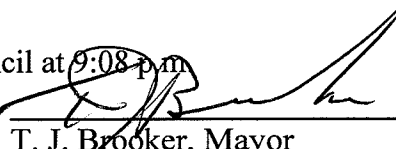
The Council supported the recommendations presented by Dan in his memorandum.

5. OTHER

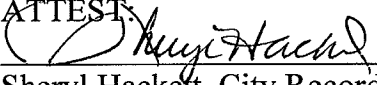
Second Annual Parade of Lights - Ric said there is a need for volunteers to help with registration.

6. ADJOURN

Fred Miller adjourned the Veneta City Council at 9:08 p.m.



T. J. Brooker, Mayor

ATTEST: 

Sheryl Hackett, City Recorder
(minutes prepared by SL Hackett)